



DEPARTMENT OF THE ARMY
400th MILITARY POLICE BATTALION
BIAP, IRAQ, APO AE 09302- 1322

AFRC-CPA-AO-D-PR

21 June 2003

MEMORANDUM FOR Commander, 400th Military Police Battalion

SUBJECT: Escape and shooting at Abu Gharaib

1. This 15-6 investigation includes two parts. An escape that took place around 1400 and a riot that resulted in a shooting and death of one detainee and injuries to seven other detainees around 1600.
2. The Escape: The detainee, #8968, used a piece of cardboard from a water bottle box to push the triple strain concertina wire up and slide under. The detainee did this while the tower guard was turned the other way. The QRF was activated and quickly apprehended the detainee while other guards pursued. Reference enclosure 21.
 - a. This location was previously used by detainees to escape seven days earlier. This is an ideal spot to use because of the concealment along the wall. This spot was reinforced after the first escape attempt. A step to prevent an attempted escape attempt like this would be a cellblock enclosure. The cellblock is currently being renovated. Prisoners use cardboard boxes to sleep on. This is good for preventive medicine.
 - b. The SOP does not specifically cover an escape attempt. This is a general guard order to prevent detainees from escaping
3. The Riot: Around 1600, 30-40 detainees started to throw rocks from their compounds at the three interior guards. The interior guards tried to get behind a generator to avoid the rock throws. They then proceeded to the exit. Enroute to the exit the interior guards were hit with baseball size rocks. A prisoner was about to throw a tent pole like a javelin at the interior guards only 10-15 feet away, when all three guard towers fired at the main threat 8 times and one tower shot 3 times into the crowd. This effectively dispersed the crowd and eliminated the threat. Reference enclosure 20 and 22 for the prison overlay and tower shooting layout.
 - a. Upon reading the sworn statements (enclosure 7-19), I determined that the shooting was justified. All three towers determined that the lives of the interior guards were threatened. This fact under the current rules of engagement gives authorization for the soldier to respond with a lethal force. Prior to lethal response the towers even tried to verbally control the crowd ineffectively. The rules of engagement are reinforced in the company SOP and stationed at the guard towers. They were followed.
 - b. The company having placed a variety of weapons (M16 or shotgun) gives the guards the choice to avoid unnecessary ricochet or firepower thru a target. This choice let the guard in tower #6 control the crowd effectively with fewer deaths but more injuries.
 - c. The QRF responded immediately after the shots. They helped secure the injured detainees for treatment and secure the compounds.

21 June 2003

4. Recommendations.

- a. Extra concertina wire passed the far tower
- b. Post a daytime roving patrol
- c. Less lethal weapon capability with proper training
- d. Proper life support for prisoners (hygiene support and supplies, variety of food, linguist support, MI support)
- e. Slug shotgun rounds
- f. Remove all rocks in compound areas
- g. Refresh on rules of engagement
- h. Post compound rules in Arabic and English
- i. Contracted translators

5. The POC is the undersigned at robert.wyks@us.army.mil.

ENCL

- 1 – Appointment orders
- 2 – Camp Vigilant SOP
- 3 - #8667 Custody Document
- 4 – 72nd Commander SITREP
- 5 – Prison Count 141045DJUN2003
- 6 – Prison Count 142115DJUN2003
- 7 – DA 2823, SPC Henry – tower shooter
- 8 – DA 2823, CPT Armstrong - Commander
- 9 – DA 2823, SGT Sweeten – tower shooter
- 10 – DA 2823, SPC Jivapong – tower shooter
- 11 – DA 2823, 1SG Keithley – First SGT
- 12 – DA 2823, SSG Gonzales - RTO
- 13 – DA 2823, SGT Moorman – Interior Guard
- 14 – DA 2823, SGT Gillepsie – Interior Guard
- 15 – DA 2823, SPC Alfeo – Interior Guard
- 16 – DA 2823, SGT Oxborroll – external tower guard
- 17 – DA 2823, SGT Simmons – prison transport escort
- 18 – DA 2823, SSG Combs – Yard tower guard
- 19 – DA 2823, SFC Leigh – Yard tower guard



ROBERT B. WYKS
CPT, MP
Adjutant

AFRC-CPA-AO-D-PR

21 June 2003

SUBJECT: Escape and shooting at Abu Gharaib, Cont

- 20 – Yard Overlay map
- 21 – Escape Overlay map
- 22 – Shooting Overlay map
- 23 – Battalion Serious Incident Report
- 24 – Investigation Log
- 25 – Evidence photo CD
- 26 – Shotgun shells tower #6
- 27 – Shotgun shells tower #5
- 28 – M-16 shells Yard tower

INDEX OF EXHIBITS

- EXHIBIT 1 Memorandum of Appointment, 15-6 IO
- EXHIBIT 2 SOP, Camp Vigilant Detention Center
- EXHIBIT 3 Evidence/Property Custody Document
- EXHIBIT 4 Memorandum for CDR, 400th MP BN, Use of Deadly Force
- EXHIBIT 5 Prisoner Count on 131045(D) June 2003
- EXHIBIT 6 Prisoner Count on 132115(D) June 2003
- EXHIBIT 7 DA 2823, sworn statement of SPC George A. Henry
- EXHIBIT 8 DA 2823, sworn statement of CPT Troy Evan Armstrong and
Memo to CDR, 400th MP BN by CPT Armstrong
- EXHIBIT 9 DA 2823, sworn statement of SGT Marc Antony Sweeten
- EXHIBIT 10 DA 2823, sworn statement of SPC Charles Jivapong
- EXHIBIT 11 DA 2823, sworn statement of 1SGT Daryl A. Keithley
- EXHIBIT 12 DA 2823, sworn statement of SSG Jacob M. Gonzales
- EXHIBIT 13 DA 2823, sworn statement of SGT Marjorie A. Moorman
- EXHIBIT 14 DA 2823, sworn statement of SGT James David Paul Gillespie
- EXHIBIT 15 DA 2823, sworn statement of SPC Gian Paolo Alfeo
- EXHIBIT 16 DA 2823, sworn statement of SGT Michael Oxborrow
- EXHIBIT 17 DA 2823, sworn statement of SGT Todd A. Simmons
- EXHIBIT 18 DA 2823, sworn statement of SSG Bruce Allan Combs
- EXHIBIT 19 DA 2823, sworn statement of SFC Gustavo A. Leigh
- EXHIBIT 20 Camp Vigilant Map as of 14 June 03
- EXHIBIT 21 Escape Route of Escapees Caught by QRF
- EXHIBIT 22 Line of fire from tower guards
- EXHIBIT 23 Serious Incident Report
- EXHIBIT 24 Investigation Action Log

13 June 2003

MEMORANDUM FOR COMMANDER, 400th Military Police Battalion

SUBJECT: Use of Deadly Force, Abu Guhrayb Detainment Facility

1. On 12 June 2004, at approximately 1800 hours, the detainees became agitated and began demanding answers regarding their capture and the amount of time they would be held in custody. They were upset and declared that they were being housed improperly and lacked basic needs such as showers, shampoo, blankets and toilets. Several of the detainees threw rocks and tent poles out of the enclosure at the guards and one guard was struck on the hand. At that time, the Company First Sergeant, Daryl Keithley, and myself responded to the yard and addressed the detainees through one of the prisoner interpreters. They were advised that many of the new detainees had release dates and that the Camp Commander would review other cases and provide us information when it was available. The detainees were all advised that throwing rocks and tent poles at the guards would constitute deadly force and that they could and would be shot if that behavior occurred again. The situation was deescalated, however, due to a lack of additional compounds, the individuals suspected of throwing rocks and tent poles were not pulled out and segregated. A sitrep was sent to battalion with a request to charge the individuals and have them sent to Camp Cropper.
2. On 13 June 2003, at approximately 1400 hours, a disturbance was again reported in the yard and involved an attempted escape by detainee #8968. The detainee attempted to go through the wire utilizing a cardboard box, however, was immediately apprehended as he exited the wire. At this time a count was initiated, however, detainees in both compounds refused to stand to be counted. The QRF was dispatched, and ultimately the count proceeded without incident. Shortly after the count the QRF was being called again and as they responded multiple gunshots were heard in the yard.
3. Upon responding into the yard it was discovered that multiple detainees with multiple rocks and tent poles had targeted the military police working the enclosure compounds and were throwing the rocks and tent poles at them. As they attempted to flee military police in the tower feared for the lives of the enclosure guards. Simultaneously, three military police from three different guard towers, followed the rules of engagement and fired upon identified detainees who were engaging in the use of deadly force against U.S. personnel. Two military police shot with 12 gauge shotguns and one fired approximately 4 - 5.56mm rounds from his M-16. At the end of the engagement 7 Iraqi detainees were wounded, one was killed and one U.S. soldier from the 400th Military Police Battalion was injured from being hit by a rock.
4. All wounded were taken from the enclosure area and provided first aid by medics from the 400th MP Battalion as well as combat lifesavers from the 72nd Military Police Company. Medivac was requested and the 7 wounded detainees were evacuated. The body and personnel affects of the KIA were release to Iraqi authorities.

The following is the list of wounded and KIA

SEC #	NAME	INJURY	OFFENSE	RELEASE DATE	
8667	A [REDACTED] H [REDACTED]	KIA	Gunshots lower abb and back	Theft and Curfew	20030616
8883	W [REDACTED] H [REDACTED]		Gunshot left arm	Black Market	20030615
8956	A [REDACTED] S [REDACTED]		Gunshot right Abdomen	Weapons	20030616
9052	S [REDACTED] M [REDACTED]		Gunshot left arm	Looting	20030622
5749	R [REDACTED] Y [REDACTED]		Gunshot left shoulder	Raid	unk
7610	S [REDACTED] M [REDACTED]		Gunshot lower back and butt	Gang	unk
8576	W [REDACTED] A [REDACTED]		Gunshot left abdomen	Curfew	unk
9158	N [REDACTED] H [REDACTED]		Gunshot left arm	Unk	unk

3. POC for this action is the undersigned.

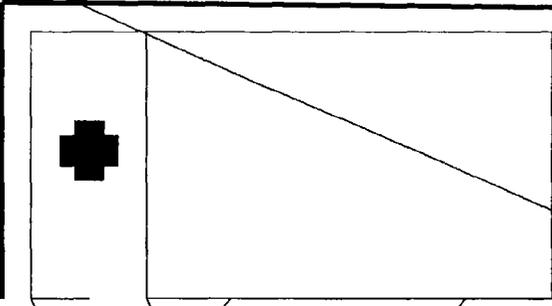
A handwritten signature in black ink, appearing to read 'Troy E. Armstrong', with a large, stylized flourish at the end.

TROY E. ARMSTRONG
CPT, MP. USA
Commanding

LINE OF FIRE FROM TOWER GUARDS
→

Sleeping Vault Arms/room

Water



137
BRAVO

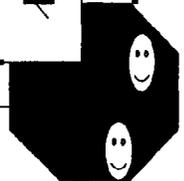
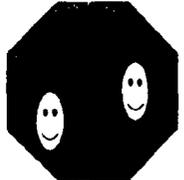
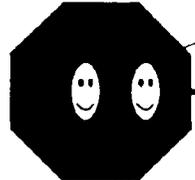
135
ALPHA

CHARLIE

2

425'

425'



Area # 22

DEPARTMENT OF THE ARMY
HEADQUARTERS, 800TH MILITARY POLICE BRIGADE (I/R)
CAMP VICTORY, IRAQ APO AE 09302

AFRC-CNY-AI-CG

14 July 2003

MEMORANDUM FOR RECORD

SUBJECT: AR 15-6 Investigation – Riot and Subsequent Shootings of 13 June 2003

The findings and recommendations in the enclosed DA 1574, report of investigation pursuant to AR 15-6 are hereby approved. Lethal force was used in response to a credible threat of serious bodily injury or death against United States soldiers, by a detainee. The soldier involved acted in accordance with the Rules of Engagement and did not use excessive force.

/s/

JANIS L. KARPINSKI
Brigadier General, USA
Commanding

Encl
as

28 Jun 03

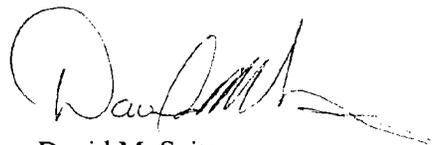
MEMORANDUM THRU Staff Judge Advocate, 800th Military Police Brigade, ATTN:
LTC James O'Hare

MEMORANDUM FOR Commander, 400th Military Police Battalion, LTC Dale Burtyk.

Subject: Legal Review of AR 15-6 Investigation- Riot and Subsequent Shootings of 13
June 2003.

1. On June 13th, 2003, LTC Dale Burtyk, Commander, 400th Military Police Battalion, appointed CPT Robert Wyck to conduct an informal investigation into the attempted escape, the riot and subsequent shootings of eight (8) civilian internees (including one lethally) at Camp Vigilant on 13 June 2003.
2. The DA 1574 and supporting documentation including evidence gathered was timely submitted on 21 June, 2003 by the IO.
3. Under AR 15-6, paragraph 2-3b, I reviewed the investigation and make the following determinations:
 - a. The investigation complies with legal requirements for an AR 15-6 investigation.
 - b. There are no procedural errors or irregularities that invalidate the investigation.
 - c. Sufficient evidence supports the investigating officer's findings.
 - d. The investigating officer's recommendations are consistent with his findings. Lethal force was used in response to a credible threat of death or serious bodily injury against U.S. soldiers by detainees who had removed tent poles from their compound and were attacking military police officers at the compound. There are a number of specific recommendations that CPT Wyck made. Counsel recommends that LTC Burtyk review the recommendations made and incorporate any of the provisions that are feasible to address these concerns.
 - e. The investigating officer's recommendation to "post compound rules in Arabic and English" is a requirement which must be addressed immediately if not already remedied.

4. The POC for this memorandum is the undersigned at 550-1450.

A handwritten signature in black ink, appearing to read 'David M. Seiter', with a large circular flourish at the beginning and a long horizontal stroke extending to the right.

David M. Seiter
CPT, JA, USA
800th MP Bde SJA Section

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by LTC Dale A. Burtyk, CDR, 400th Military Police Battalion, Baghdad, Iraq APO AE 09335
 (Appointing authority)

on 20030613 (Date) (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6)

SECTION II - SESSIONS

The (investigation) (board) commenced at Camp Vigilant, Baghdad, Iraq at 1915
 (Place) (Time)

on 20030613 (Date) (If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1800 on 20030617
 (Time) (Date)
 and completed findings and recommendations at 1800 on 20030621
 (Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES		YES	NO ¹	NA ²
1	Inclosures (para 3-15, AR 15-6)			
	Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The letter of appointment or a summary of oral appointment data?	X		
	b. Copy of notice to respondent, if any? (See item 9, below)			X
	c. Other correspondence with respondent or counsel, if any?	X		
	d. All other written communications to or from the appointing authority?	X		
	e. Privacy Act Statements (Certificate, if statement provided orally)?	X		
	f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
	g. Information as to sessions of a formal board not included on page 1 of this report?			X
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?	X		

FOOTNOTES: ¹ Explain all negative answers on an attached sheet.
² Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

The (investigating officer) (board), having carefully considered the evidence, finds:

See attached Memorandum

-----Nothing else follows-----

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

See attached Memorandum.

----- Nothing else follows-----

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

(Recorder)

CPT 
(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

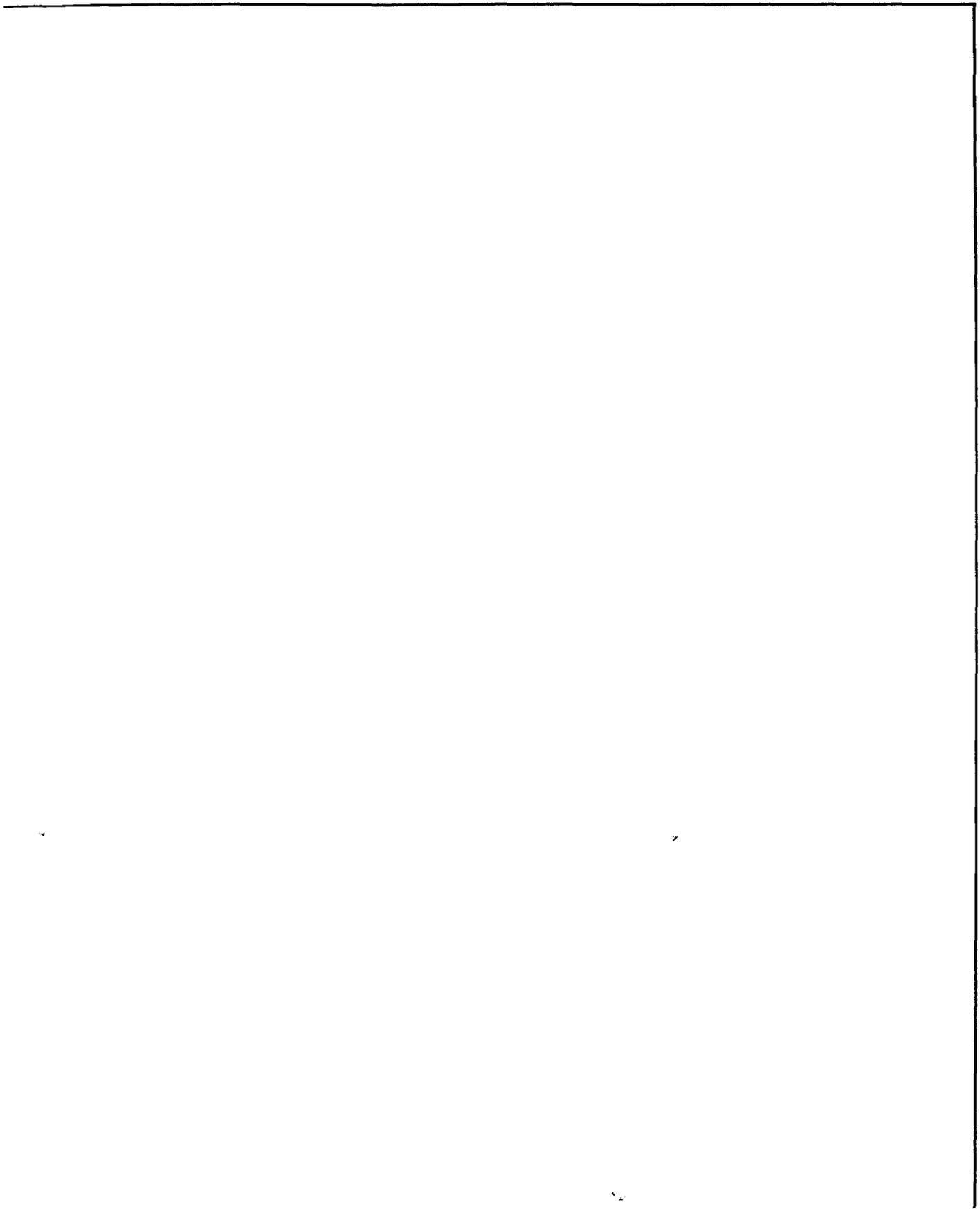
(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions; substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

SEE ATTACHED MEMORANDUM



Shift Time Table

8 hour shifts

1st DAY SHIFT SCHEDULE

<u>Time</u>	<u>Event</u>	<u>Place</u>	<u>Remarks</u>
0330-0400	Guard Mount	Prison Facility	Conducted By NCOIC/OIC
0400-1200	Guard Duty	Prison Facility	NCOIC/OIC
0500-0600	Working Lunch	Prison Facility	NCOIC/OIC
0600-0700	Prisoner Count	Prison Facility	NCOIC/OIC

2nd DAY SHIFT SCHEDULE

<u>Time</u>	<u>Event</u>	<u>Place</u>	<u>Remarks</u>
1130-1200	Guard Mount	Prison Facility	Conducted By NCOIC/OIC
1200-2000	Guard Duty	Prison Facility	NCOIC/OIC
1745-1800	Prep Tower Meals	Prison Facility	NCOIC/OIC
1800-1900	Lunch Tower Meal Run	Prison Facility Prison Facility	NCOIC/OIC NCOIC/OIC
1700-1800	Prisoner Count	Prison Facility	NCOIC/OIC

NIGHT SHIFT SCHEDULE

<u>Time</u>	<u>Event</u>	<u>Place</u>	<u>Remarks</u>
1930-2000	Guard Mount	Prison Facility	Conducted by NCOIC/OIC
0000-0100	Working Lunch	Prison Facility	NCOIC/OIC
2000-0400	Guard Duty	Prison Facility	NCOIC/OIC

Annex B

STANDARD
OPERATING
PROCEDURE
(SOP)

CAMP VIGILANT
DETENTION
CENTER

(ABU GHURAYB)

TABLE OF CONTENT

Mission Statement

Chapter 1: Military Police/Corrections Officer Operations

Rules of Engagement (ROE)

Interaction with Prisoners

Uniform Policy

Chapter 2: In-processing Prisoners

Out-processing Prisoners

Prisoners Property / Money

Chapter 3: Tower Operations

Chapter 4: Prisoner Compound (Yard) Operations

Chapter 5: Special Work Details

Chapter 6: Prisoner Sick Call Procedures

Chapter 7: Rules for Prisoners

Rule Violation

Chapter 8: Annexes A – Compound Shift Schedule

Annexes B – Shift Time Table

Annexes C – Compound Schematic

Mission Statement

TASK: The 72nd Military Police Company and 400th Military Police Battalion conducts Civilian Detainment Operations VIC GRID 38S MB12948405 NLT 26May 2003.

PURPOSE: To assist in the stabilization process of the new Iraqi government by providing a temporary, but secure holding area for Iraqi civilians accused of committing crimes. Furthermore, to assist in the transition of civilian detainment operations from U.S. to Iraqi forces.

END STATE: A secure, stable, and civilized environment for pre and post trial detainment of Iraqi citizens, operated by trained Iraqi detention personnel.

Chapter 1

Note: This SOP is your SOP. It is a minimum! It is up to you as leaders to go above and beyond this SOP if it involves the protection of your soldiers or the accomplishment of the mission. The Bottom Line. "it's not my/our job" doesn't get things done.

Military Police/Corrections Officer Operations:

Military Police (95B series) and/or Corrections Officer (95C) are the primary soldiers used in the daily prison operations. In this SOP Military Police and Corrections Officer may be used interchangeably in missions conducted inside the compound. MPs will use primary and cover officer techniques (2 man technique) at all times when in the compound.

There are three primary areas of responsibility for MPs. Yard operations, Tower operations and Special Details. It should be noted that even though three job areas have been identified they should not be the MP's only areas of operations. Secondary areas include escort operations of prisoners to and from other military/civilian holding areas and escorting local civilian contractors contracted with repairing and/or up-keeping duties in the prison.

Shifts will be run in twelve (12 and / or 8) hour rotations. MP manning of positions will follow Annex A outline (Compound Shift Schedule). Current number of MPs on duty will be determined by the total number of prisoners in the compound and directed by Company Commander and/or First Sergeant. MPs will not leave their post (i.e. designated working area) unless authorized to do so by NCOIC/OIC.

MPs on duty will follow uniform standards as stated in AR 670-1 or Company Commander (CO) /First Sergeant (1SG) directed. Recommendations made by area/local medical and preventive medicine personnel should be implemented as appropriate (i.e. wet bulb temperature). MPs or soldiers involved in daily prison operations, will wear full Desert Camouflage (DCU) or Battle Dress Uniform (BDU) at all times around prisoners. Further instructions can be found below under "Uniform for Military Police."

No weapons (shotgun, rifle or pistol) will be allowed within the compound. Weapons will be used on the outside perimeter of the main compound (i.e. outside five-strand concertina wire). Weapons carried by soldiers will be handed over to the company arms room prior to entry into the main compound.

Prisoners will be treated with dignity and respect at all times while housed in the prison facility. Mistreatment of a prisoner will be dealt with UCMJ action, if misconduct was committed by military personnel, and Geneva Convention Statutes pertaining to treatment of Civilian Internees (CI). Violation of rules and regulations stated to prisoners can be found in Chapter 7 (Rules for Prisoners) of SOP.

Rules of Engagement (ROE):

MPs working with prisoners must always maintain a heightened state of readiness at all times. If an MP believes that his/her life is in danger or another human being's life is in danger it is the responsibility of the MP to do all means possible to save lives. MPs are reminded to use the following four words in thinking through courses of actions: **Shout, Show, Shove, Shoot.**

- Shout:** In prisoner's native language three shouts of "Halt" will be directed to the prisoner. If no response to verbal commands then.
- Show:** a show of weapon (MP Baton, Riot Baton, Pepper Spray, Shotgun, Rifle or Pistol) will be displayed to the prisoner. If no response to show then.
- Shove:** a shove at the prisoner is authorized. However if an MP feels that contact with the prisoner may result in bodily harm then,
- Shoot:** a shot will be fired. **This is the last step/course of action and constitutes deadly force.** All means to stop the prisoner must be initiated before deadly force is used (i.e. shout, show, shove) on him/her. A prisoner always initiates the course of action needed, not the MP. Warning shots will not be used to stop a prisoner from escaping. Only if a belief that bodily harm or death will result if the prisoner escapes (i.e. prisoner grabs an MP's weapon, takes a hostage or is incarcerated due to a violent crime- for example murder).

Interactions with Prisoners:

As stated above, all prisoners will be treated with dignity and respect while housed in the prison facility. As human beings are social in nature interaction between military police officers and inmates will occur. Interactions with prisoners will occur when assigned to special duties and due to cultural/language differences between military police and prisoners. It is understood that MPs cannot be 100 percent unsociable and small talk will happen, yet remain professional at all times. All prisoners will be treated Firm, Concise, and Fair in ALL DEALINGS.

However promises of early release, special treatment for favors or unauthorized release of confidential information to prisoners is unauthorized. Talking to prisoners about other soldiers in any manner is unauthorized. Passing along or promising contraband in any capacity (i.e. cigarettes, money or extra food rations) is unauthorized. MP's will not compromise their integrity.

Uniform For Military Police:

1. MPs Working In Towers- Kevlar Helmet, Flak Vest, Primary and Alternate Weapon, Basic Combat Load (Ammunition), Uniform will be worn at all times.
2. MPs Working The Yard- Pistol Belt with MP Baton and Holder, Handcuff, Handcuff Case, Flashlight, Whistle and Arabic Translation Card (Cargo Pocket), Uniform will be worn at all times.
3. MPs Conducting Escort Outside Prison- Primary and Alternate Weapon, LBV/LCE, Protective Mask, Basic Combat Load (Ammunition), Kevlar Helmet, Flak Vest
4. MPs Working Special Details- To Be Determined by NCOIC of the detail.

Chapter 2

In-processing Prisoners:

Prisoners will be dropped off at the entry point (Sally point) prior to entry into the main compound. During in-processing no more than five prisoners will be processed at a time. QRF will respond to the yard to provide security, searching and escorting prisoners into the holding compound. Representatives for the company S-1 (Administrative) and S-4 (Supply) section will be located at the in-processing station to collect and sign for prisoners and their respective property. It will be the unit's responsibility to handle and store prisoner's property while housed in at the prison.

Representatives from the company's attached medical section will also be located at the entry point. Medical personnel will examine each prisoner and ensure that they are in fair health and have no major medical conditions prior to entering the compound. Prisoners with serious medical conditions identified by medical personnel will be transported to the nearest medical facility for further evaluation.

Prisoners will be issued a bottle of water and will remain in their custody for the duration of their stay. Prisoners will also be issued blankets. Prisoners will be explained the rules of the compound and what will happen if these rules are violated.

Steps for in-processing are as follows:

1. Receive prisoners from transport vehicle.
2. Escort prisoners, five individuals at one time, into the in-processing tent.
3. In-processing tent:
 - A. Prisoners searched
 - B. Serial number and wrist id number will be checked with master roster
 - C. Property will be signed for by supply/administrative personnel and secured
 - D. Prisoners will be escorted to medical tent for examination
4. Medical tent:
 - A. Qualified medical personnel will examine the prisoners as stated above.
 - B. Water and blankets will be issued.

Out-processing Prisoners:

MPs will verify prisoners to be released by checking wrist id number and serial number with master release roster. Outgoing prisoners will then be separated from the remaining population. Prisoners will be escorted, no more than five at a time, to the out-processing tent. Prisoners will verify and sign for their property. Prisoners will be provided a humanitarian meal and escorted to the departure vehicle.

Steps for out-processing are as follows:

1. Verify prisoners wrist id number, serial number, and name. (Also a photo if movement cards are incorporated at a later date.
2. Separate outgoing prisoners from those remaining.
3. Escort five prisoners to the out-processing tent at one time.
4. Confirm wrist id, serial number, and roster number match prior to release.
5. Issue a humanitarian meal.
6. Place in transport vehicle for release.
7. Explain in Arabic rules for safe transportation ie. No Jumping Out of Vehicle.

8. In Arabic express/wish them a better life to include Law and Order when departing.

Prisoner's Property/Money:

During in-processing supply and administration personnel will inventory prisoner property item by item. (Chain of Custody Form) Prisoners will sign DD Form 2745 to record inventory of their property. All property will be locked/stored in the arms room/storage room until prisoner's release. Upon release all items will be handed back to prisoner and verified, at which point he/she will sign for receipt of said property. All forms will be kept by administrative personnel for a period of 1 year.

Chapter 3

Tower Operations:

MPs will man the towers 24 hours a day / 7 days a week. The purpose of the tower guards are for a show of force, provide early warning, protection of interior compound MPs, and to deter escape.

ROE for external contact outside the Prison compound will follow V Core guidance and include the following:

You are AUTHORIZED to take appropriate action up to and including DEADLY FORCE to:

- 1) Defend yourself and others including detainees from death or serious harm.
- 2) To stop serious crimes including murder, armed robbery, rape and aggravated assault.
- 3) To protect designated Iraqi property including:
 - a) Financial Institutions
 - b) Institutions containing vital government records
 - c) WMD or suspected WMD sites
 - d) Oil Fields
 - e) Public Utilities
 - f) Commercial fuel service
 - g) Hospitals and public health facilities
 - h) Water supplies.

Assess What You See! If you suspect that contact against the facility or towers has occurred report your suspicions immediately. If it's significant or impacts our mission, a SALUTE/SITREP will be given after the initial Contact report. You do not need permission to defend yourselves, or others against death or serious bodily harm, however, the use of deadly force will be utilized only when necessary, in accordance with V core guidance and upon positive identification of a legitimate threat, legitimate target and no risk to friendly or innocent personnel.

A detailed SITREP will follow any type of firing incident.

The Bottom Line: Protect yourself, protect your fellow soldiers, and protect innocent civilians. Assess, Assess, Assess. think before you shoot!

Uniform, Tower Specific- Enforced at all times!

Worn or on you:

Kevlar
Flak Vest
M9
M16/SAW/M203
Whistle and Arabic book

Carried or grounded with you:

LBE/LCE
Full Battle Load Ammo
Mask
DCU top

MPs at the guard towers will:

1. Arrive at their respected tower 10 minutes before the start of shift (day or night).
2. Conduct challenge and password to the oncoming and off going shift.
3. Brief oncoming shift of events that occurred during previous shift.
4. Oncoming shift will conduct a quick inventory of equipment. (Night Vision Goggles, Batteries, Red Star Cluster, Green Star Cluster, White Star Cluster, Basic Load, Binoculars)
5. Always maintain one MP with full attention inside the compound and another MP with full attention outside the jail wall. Note: MPs in towers not directly over-watching the Detainee yard or ECP 2, will both face outward with full attention outside the compound wall at all times.
6. Both MPs will have weapons at the ready when in the tower. Towers 5 and 6 will always have shotguns at the ready as a show of force.
- 6.5 SAWs will always be located at the following:
 - ECP
 - TOWERS 1,2,& 3
7. Communications check with TOC will be conducted every hour on the hour. Radio communications will be made via Motorola Hand Held Radio, TA-312 or SINGARS (If available).
8. MPs will not leave their post until properly released.
9. Tower MPs must be vigilant on the duress sign from inside the yard (removing head gear inside the yard).
10. Towers should report all vehicle(s) or civilian(s) outside the compound to TOC. Military vehicles approaching the compound and identified by a tower must be reported to TOC.
11. Passes will be issued under Tower 2 to all contracted personnel who arrive for work detail in the prison.
12. Local population will be kept at a minimum of 75ft from the Prison compound wall at All Times. Only exceptions will be POCs who are conducting business with MPs. These will be limited to (2) two locals at a time. This rule will be enforced even if it requires repeated warnings from tower and ECP personnel.

Note: 2 whistle blows = EMERGENCY ie. Being fired upon, prisoner escaping, life in danger, danger to compound personnel etc.

Chapter 4

Prisoner Compound (Yard) Operations:

MP personnel will be assigned their perspective duty position by the NCOIC of the yard at guard mount. MP personnel working the yard can be rotated every 2-4 hours as time and weather permit.

Those assigned to guard the ECP compound gate will determine who enters and leaves the compound, to include MP personnel and prisoners. The compound gate is to remain closed at all times except when entering or exiting the compound.

MPs escorting prisoners in work detail will have a visual of the detainee/s at all times.

When issuing out food, blankets ect., detainees will line up single file on one half of the compound. After food/blankets, ect. have been issued detainees will gather on the opposite side of the compound until all detainees have received issued items. This avoids a detainee from getting more than one item.

A head count will be conducted a minimum of two times a day (0600 and 1700 hours). However shift NCOIC/ OIC may initiate a head count at any time.

When an MP feels that a possible confrontation or incident is about to occur and the MP is with prisoners the MP will remove his/her cap as a sign of duress and initiate steps provided in the ROE.

Incident reports/daily staff log (DA Form 1594) will be completed daily and turned in at the end of each 12 hour shift. Yard NCOIC will log work details, in-processed and out-processed prisoners and visitors to compound.

All questions on yard operations will be directed at the NCOIC/OIC.

Note: NO Prisoners are allowed to remain standing at any enclosure door at any time unless being addressed by an MP

Chapter 5

Special Work Details:

Special work is defined as details that can be done by prisoners for the prison compound or for prisoners. Details cannot be dangerous to the prisoner. For example, removal of unexploded ordinance or using prisoners as human shields during riot or outside attack on compound.

Special work details that can be done by prisoners are:

1. Filling of water jugs/bottles for prisoners.
2. Construction of more prison compounds using manual labor.
3. Placing and building of tents on the compound.
4. Area beautification of the compound. For example; painting, trash detail or removal of weeds.
5. Interpreter duties for native speakers that can also speak English.

Chapter 6

Prisoner Sick Call Procedures:

Sick call will be done by medical personnel attached to the company. Sick call hours will be from 0800 hours until completion. Emergency sick call will be handled 24 hours a day/ 7 days a week.

Prisoners identified as having a medical condition during in-processing will be seen by medical personnel during sick call. Examples of medical conditions identified at in-processing may be asthma, high blood pressure, heart conditions, etc..

Prisoners that have a recent medical condition will be seen by medical personnel during sick call. Examples of recent medical issues that arise may be bug bites, cuts, colds, etc. Medical personnel on duty will treat prisoners as medically appropriate.

Medical evacuations will be handled by medical personnel on duty. All medical evacuations will be communicated to Headquarters TOC and then to Battalion Headquarters for further coordination.

Chapter 7

Rules For Prisoners:

1. All prisoners will be present during headcount. No one is allowed to stay in the tents during headcount.
2. Prisoner vs. Prisoner fighting is unauthorized.
3. No prisoner will have a weapon, in any capacity, in their possession.
4. Verbal abuse towards the guard force will not be tolerated.
5. Throwing of any items (rocks, tent stakes, spitting, etc.) is not authorized.
6. Leaning up on the concertina wire is not authorized.
7. Prisoners will not be allowed to receive items without approval from OIC/NCOIC. Items include food, clothing, shoes, etc. from outside the gate
8. Smoking/Smokeless Tobacco/Matches are not allowed in the compound.
9. Talking to family members through the wall or wire is not authorized.

Rule Violation:

Violation of the above rules will be dealt with by OIC/NCOIC and may result in referral of additional criminal charges to the Company Commander. Assaults on prisoner by another prisoner will result in an extension to the prisoners stay, per Judge Adjutant Generals (JAG) office guidance. Assault on guard force by prisoner will result in immediate removal from compound and placed into a separation cell. The JAG office will be contacted immediately.

All incidents will be reported and written up as an incident report per OIC/NCOIC guidance.

Compound Shift Schedule

Date:
OIC:
NCOIC:

External

Tower 1:	1.		2.	
Tower 2:	1.		2.	
Tower 3:	1.		2.	
Tower 4:	1.		2.	
Tower 5:	1.		2.	
Tower 6:	1.		2.	
Yard Tower:	1.			
ECP:	1.		2.	
QRF:	1.	2.	3.	4.
	5.	6.	7.	8.
RTO:	1.			

Internal Compound

NCOIC (E-6):

SGT of the Guard 1:

Rover/Shotgun: 1:

ECP Compound (Bellagio): 4

Main EPW/CI ECP: 1

Annex A

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER	
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORT/CID ROI NUMBER 03-400-01	
RECEIVING ACTIVITY 72ND MP CO/ 400TH MP BN		LOCATION CAMP VIGILANT, BAGHDAD, IRAQ	
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER H [REDACTED], A [REDACTED] ISN#8667 <input checked="" type="checkbox"/> OTHER		ADDRESS (Include Zip Code) UNKNOWN	
LOCATION FROM WHERE OBTAINED FROM PROPERTY ROOM & BODY OF ABOVE INMATE		REASON OBTAINED DEATH	TIME/DATE OBTAINED 1720/13 JUNE 2003
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, condition and unusual marks or scratches)</small>	
1	1	BODY OF INMATE TENATIVELY ID' AS H [REDACTED], A [REDACTED] APPROXIMATELY 68" IN LENGTH, APPROXIMATELY 140 LBS IN WEIGHT, MEDIUM COMPLEXION, MEDIUM LENGTH BLACK HAIR, FULL BLACK BEARD, WITH ONE 3/4" X 1" WOUND TO THE RIGHT UPPER BACK, ONE 1 1/2" DIAMETER WOUND TO THE LEFT UPPER BACK, TWO SMALL 1/8" WOUNDS LEFT AND RIGHT OF THE UPPER CENTER BACK, ONE 1/2" IN DIAMETER WOUND TO THE MIDDLE STOMACH, AND ONE 1/2' IN DIAMETER WOUND TO THE UPPER LT. PELVIS.	
2	1	CLOTHING ON BODY CONSISTING OF TORN WHT. TANK TOP, TORN BLUE DENIM PANTS, YELLOW SHORTS.	
3	1	CLEAR PLASTIC BAG CONTAINING [REDACTED]	
4	1	PROPERTY BAG CONTAINING 1 BRN LEATHER TYPE BELT W/WHT METAL BUCKLE, 1 WHT. SHOE STRING, 1 PIECE OF PAPER MARKED 8667	
CHAIN OF CUSTODY			
ITEM NO	DATE	RELEASED BY	RECEIVED BY
1-4	13JUN03	SIGNATURE 	SIGNATURE [REDACTED]
		NAME, GRADE OR TITLE DU VAN, RONALD C., E-6, MP	NAME, GRADE OR TITLE [REDACTED]
		SIGNATURE	SIGNATURE Abu G ARIB
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE Hospital
		SIGNATURE	SIGNATURE Dr. [REDACTED]
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE Amir
		SIGNATURE	SIGNATURE 13-6
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE
		SIGNATURE	SIGNATURE
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE

ENCL # 1
FILE# 03-400-01



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
18TH MILITARY POLICE BRIGADE
Baghdad, Iraq APO AE 09302

AETV-MP-400

13 June 2003

MEMORANDUM FOR CPT Robert B. Wyks, [REDACTED], S-1, 400th MP BN.

SUBJECT: Appointment as an AR 15-6 Investigating Officer

1. Reference: AR 15-6, Procedure for Investigating Officers and Boards of Officers. 11 May 88, with Change 1, 30 Oct 96.

2. You are hereby appointed to conduct an investigation concerning the escape attempts and shootings at Abu Ghurayb on 13 Jun 03. You may incorporate the results of any Commanders Inquiry that has been begun on these escapes.

3. You are to investigate all details concerning these escapes, attempted escapes, and the responses by the Military Police that were on duty at those times. You are directed to specifically address the following questions:

- a. How did the prisoners escape?
- b. What steps could have been taken to prevent these escapes?
- c. What was the response of the Military Police on duty?
- d. Was the response of the Military Police on duty reasonable, or was excessive force used?
- e. Is there an SOP in place to deal with this situation, and if so, was it followed?
- f. Is there additional training that needs to be implemented to cover these situations?
- g. What actions, if any, were taken by the QRF?

4. During the course of your investigation, you will record all interviews on DA Form 2823 (Sworn Statement). If, during any interview, you suspect a violation of the UCMJ by the person you are interviewing, you are required to stop the interview, and advise the interviewee of their Article 31(b) rights, using a DA Form 3881 (Right Warning Waiver Certificate). You may continue to interview that person if they agree to make further statements. If they do not, terminate the interview and contact your legal advisor. If you have any questions about whether or not the person made a knowing and valid waiver, terminate the interview and contact your legal advisor. You will advise all persons being interviewed that their statements can be discovered

AETV-MP-400

SUBJECT: Appointment as an AR 15-6 Investigating Officer

under the Freedom of Information Act, and you will further advise them that any actions taken in reprisal against them for making a statement should be reported immediately to their Commander, the Office of the Inspector General, or to the Office of the Staff Judge Advocate. Per Article 136.b.(4) and 136.b.(6) of the UCMJ, you are authorized, as an Investigating Officer, to swear people in.

5. You are authorized to investigate any issue(s) that arise during your investigation that are related to the primary purpose of your investigation. CPT Michael Banks, 18th MP BDE Judge Advocate, will serve as your initial legal advisor. Should your investigation extend past the change in task organization that will have the 400th MP BN falling under the 800th MP BDE, then the 800th MP BDE will provide you with a legal advisor.

6. This is your primary duty until you complete it, and you will submit a chronology of your actions along with your completed report. The report of investigation will be submitted to the appointing authority NLT 23 Jun 03. Requests for extension must be made in writing to the undersigned.

7. The POC for this memorandum is the undersigned.


DALE A. BURTYK
LTC, MP
Commanding

13 June 2003

MEMORANDUM FOR COMMANDER, 400th Military Police Battalion

SUBJECT: Use of Deadly Force, Abu Guhrayb Detainment Facility

1. On, 12 June 2004, at approximately 1800 hours, the detainees became agitated and began demanding answers regarding their capture and the amount of time they would be held in custody. They were upset and declared that they were being housed improperly and lacked basic needs such as showers, shampoo, blankets and toilets. Several of the detainees threw rocks and tent poles out of the enclosure at the guards and one guard was struck on the hand. At that time, the Company First Sergeant, Daryl Keithley, and myself responded to the yard and addressed the detainees through one of the prisoner interpreters. They were advised that many of the new detainees had release dates and that the Camp Commander would review other cases and provide us information when it was available. The detainees were all advised that throwing rocks and tent poles at the guards would constitute deadly force and that they could and would be shot if that behavior occurred again. The situation was deescalated, however, due to a lack of additional compounds, the individuals suspected of throwing rocks and tent pools were not pulled out and segregated. A sitrep was sent to battalion with a request to charge the individuals and have them sent to Camp Cropper.
2. On 13 June 2003, at approximately 1400 hours, a disturbance was again reported in the yard and involved an attempted escape by detainee #8968. The detainee attempted to go through the wire utilizing a cardboard box, however, was immediately apprehended as he exited the wire. At this time a count was initiated, however, detainees in both compounds refused to stand to be counted. The QRF was dispatched, and ultimately the count proceeded without incident. Shortly after the count the QRF was being called again and as they were responded multiple gunshots were heard in the yard.
3. Upon responding into the yard it was discovered that multiple detainees with multiple rocks and tent poles had targeted the military police working the enclosure compounds and were throwing the rocks and tent poles at them. As they attempted to flee military police in the tower feared for the lives of the enclosure guards. Simultaneously, three military police from three different guard towers, followed the rules of engagement and fired upon identified detainees who were engaging in the use of deadly force against U.S. personnel. Two military police shot with 12 gauge shotguns and one fired approximately 4 - 5.56mm rounds from his M-16. At the end of the engagement 7 Iraqi detainees were wounded, one was killed and one U.S. soldier from the 400th Military Police Battalion was injured from being hit by a rock.
4. All wounded were taken from the enclosure area and provided first aid by medics from the 400th MP Battalion as well as combat lifesavers from the 72nd Military Police Company. Medivac was requested and the 7 wounded detainees were evacuated. The body and personnel affects of the KIA were release to Iraqi authorities.

The following is the list of wounded and KIA

SEC #	NAME		INJURY	OFFENSE	RELEASE DATE
8667	A [REDACTED] H [REDACTED]	KIA	Gunshots lower abb and back	Theft and Curfew	20030616
8883	W [REDACTED] H [REDACTED]		Gunshot left arm	Black Market	20030615
8956	A [REDACTED] S [REDACTED]		Gunshot right Abdomen	Weapons	20030616
9052	S [REDACTED] M [REDACTED]		Gunshot left arm	Looting	20030622
8749	R [REDACTED] Y [REDACTED]		Gunshot left shoulder	Raid	unk
7610	S [REDACTED] M [REDACTED]		Gunshot lower back and butt	Gang	unk
8576	W [REDACTED] A [REDACTED]		Gunshot left abdomen	Curfew	unk
9158	N [REDACTED] H [REDACTED]		Gunshot left arm	Unk	unk

3. POC for this action is the undersigned.

TROY E. ARMSTRONG
CPT, MP. USA
Commanding

BRC # S
FILE # 03-46-01

Prisoner Count on 13 June 2003 as of 1045hrs

Tower

Compound "A"
149

Compound "C"
4

Tower

Compound "B"
137

0

0

Tower

Total Count of Prinsioners = 290

Tower

EX-1246
FILED 09-140-01

Prisoner Count on 13 June 2003 as of 2115hrs

Tower

Compound "A"
135

Compound "C"
2

Tower

Compound "B"
130

0

0

Tower

Total Count of Prisoners = 267

Tower

SWORN STATEMENT

For use of this form, see AR 190-45; the proposing agency is ODCSOPS

LOCATION CAMP VIGILANT CI. CAMP	DATE 13 JUNE 03	TIME 1820	FILE NUMBER 05-400-C1
LAST NAME, FIRST NAME, MIDDLE NAME HENRY, George, Albert	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SPC/E4
ORGANIZATION OR ADDRESS 72nd Military Police Company			

George A. Henry, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approximately 1610 to 1615 hours on 13 June 03 the detainees at Vigilant, Cage #2, began to riot. The detainees began to destroy their tents and hurl rocks ~~at~~ at the yard M.P.'s. I estimate over three fourths of the camp population was involved in the riot. I witnessed approximately thirty to forty arabs male throwing stones. I immediately attempted to contact the TOC. After the fifth time in my attempts to contact the TOC, I sat my rifle down and picked up my shot gun. By this time several men had now pulled tent poles from the tents and were moving towards the gate. I saw one ~~MP~~ MP attempting to calm the detainees by the main gate. A male arab, wearing all yellow, charged the M.P. at the gate in an attempt to throw a metal tipped tent pole at him. I called over the radio to clear the yard and fired at the arab in yellow. This shot deterred only about 10 detainees from the yard area. I fired a second shot at a group of three arabs who were coming up on the MP who was trying to calm the detainees down. Two of the arabs were throwing stones one threw a tent pole at the MP. The yard M.P.'s attempted to take cover behind the generator but did not make it their on their first attempt. At this time detainees from cage #1 began throwing stones. I felt the yard M.P.'s were in a seriously dangerous position. I witnessed one of the yard M.P.'s get hit by a rock on a second attempt to take cover behind the generator. As he ran for cover a group of 5 arabs pursued him along the fence line. I fired at the group taking aim at two arabs with tent poles. One

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT Gd	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

of the men dropped his pole and fled. The second continued his pursuit with the other men who were throwing rocks. I fired one more time at the man, and he went down. All of the yard M.P.s had now taken cover behind the generator. They were in my line of fire. Since the ran to clear the yard an arab male charged the wire in an attempt to throw a tent pole at the fleeing M.P.s. I fired at him and I saw him go down. I firmly believe if I had not discharged my weapon that one or more of the yard M.P.s would have lost their lives or suffered severe injury. |||

2+A
2/ PT
about
YES

||| END OF STATEMENT |||

Q. Why did you use your shotgun instead of the M16?

A. Because I knew we had 2 more patrols, and three yard personnel. I could only see two of the yard personnel. The last place I saw anyone else was behind a tent in my line of fire.

Q. WHAT ARE YOUR RULES OF ENGAGEMENT?

A. To protect ourselves, others and property from the threat of great bodily harm and death.

Q. DO YOU FEEL YOU FOLLOWED THE ROE?

A. Yes

Q. WHAT IS THE COMPANY SOP IN REGARDS TO A THREAT TO INTERNAL GUARDS?

A. We were informed if we felt a persons life was in grave danger to shoot. I felt the yard personnel were in a very bad situation so I shot.

AFFIDAVIT

I, GEORGE A. HEWE

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE

2

I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE

BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT

George A. Hewe
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this

13 day of June

2003

at Camp Vigilant Iraq

Daryl A. Ketter
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

KETTER, DARYL A. ISC
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136 (b) (4) UCMS
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

GH

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Abu Ghurayb Prison, Iraq	DATE 13 June 2003	TIME 1615	FILE NUMBER 03-400-01
LAST NAME, FIRST NAME, MIDDLE NAME Armstrong, Troy Evan	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS O-3
ORGANIZATION OR ADDRESS 72nd Military Police Company			

I, Troy E. Armstrong, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On 13 June 2003, while performing duties as the Company Commander of the 72nd Military Police Company, I was alerted to gunshots in the yard area where the company maintains civilian detainees. The attached memo entitled "Use of Deadly Force Abu Guhrayb Detainee Facility", is my official statement. In addition the following information regarding the circumstances surrounding an attempted escape earlier that day are provided:

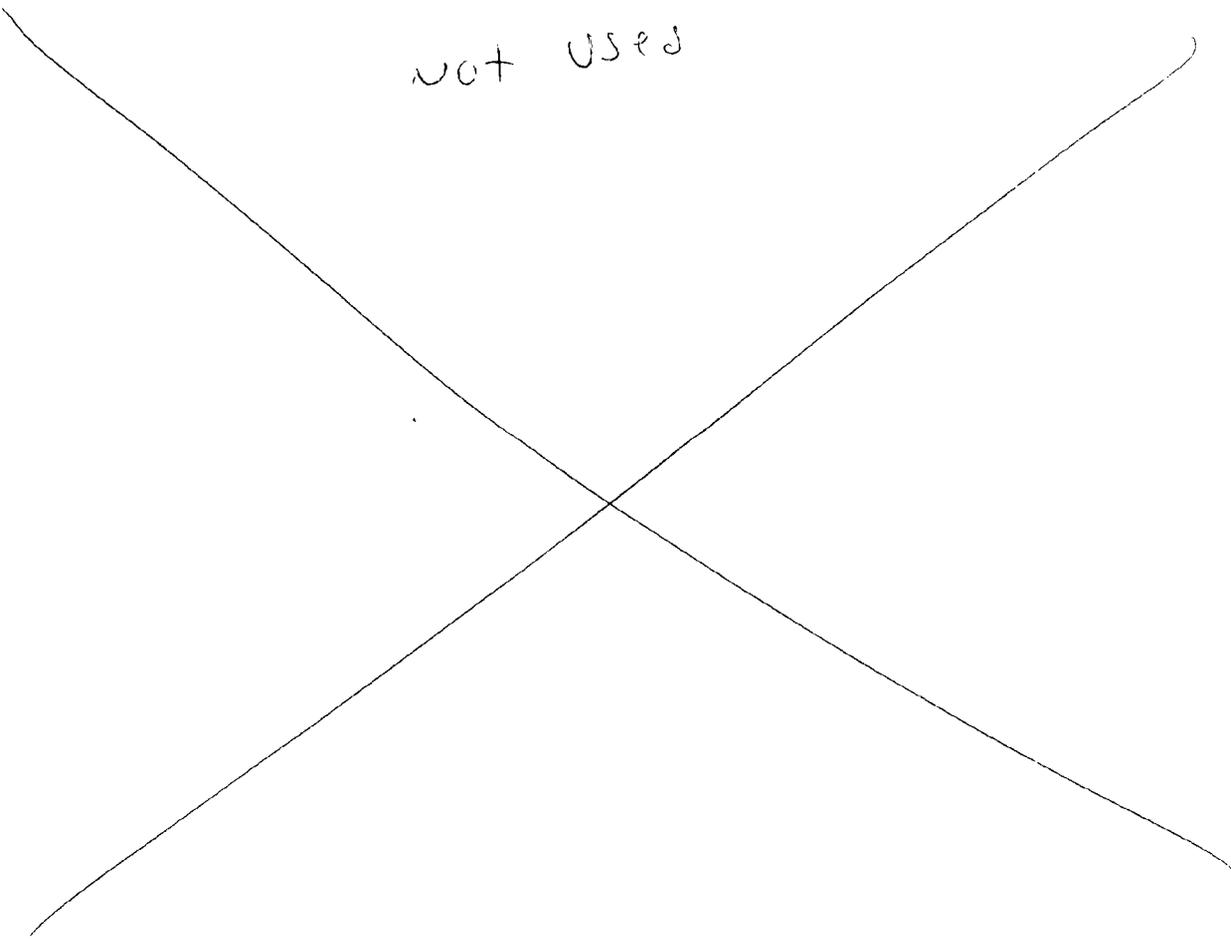
- a) The detainee identified escaped by placing a card board box into the concertina wire and then crawled through it as the tower guard in tower 4 had turned away briefly. When the tower guard turned back in the direction of the wire he observed the detainee going through the wire, but was unable to get immediate assistance as his radio batteries had died out. After yelling he was able to get elements on the ground to respond and apprehend the detainee.
- b) While we instituted a static position at this location in the evening during limited visibility it was not posted during daylight hours. As a result, we are now posting the static post during evening and daytime hours.
- e) Additional training regarding detainee behavior and rules of engagement would be welcome and beneficial. More important would be to be given adequate resources to provide a secure environment that met the standards of care and humanity outlined in AR 190-8. This would alleviate some of the discomfort and frustration of the detainees providing less cause for them to riot and attempt to escape.
- f) The QRF had been alerted and was preparing to go into the detainee yard as shoots were heard. Upon entering the yard, the shots had been fired. The QRF then responded to the enclosure area where it evacuated wounded detainees, provided First Aid and then assisted in their transport to the medivac pad.

/// END OF STATEMENT ///

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>TA</u>	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ____ TAKEN AT ____ DATED ____ CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ____ OF ____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

not used



AFFIDAVIT

I, Troy E. Armstrong, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[Signature]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

ORGANIZATION OR ADDRESS

[Signature]
(Signature of Person Administering Oath)

CPT ROBERT B. WYKES
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136 (b) (4) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

and adjusted aim and continued to fire until the subject was down. Two other inmates who were throwing rocks picked up the subject and dragged him to the tents. As they were not an immediate threat I withheld fire. The two soldiers who were injured were able to proceed to safety. I then safed my M-16 and put it down and requested SSG. COMBS to receive me. *MS*

END STATEMENT Nothing To Follow

Q. WHAT ARE YOUR RULES OF ENGAGEMENT?

A. To protect the life of myself or others. *MS*

Q. DO YOU FEEL THE OTHER PRISONERS WERE POSING ANY THREAT TO THE INTERVA GUARDS?

A. *Yes, MS*

Q. DO YOU FEEL YOU FOLLOWED THE ROE?

A. *Yes MS*

Q. WHAT IS THE SOP FOR THIS SITUATION?

TO QUELL PEACEFULLY AS POSSIBLE BY FORCE IF NECESSARY, USING MINIMUM FORCE TO ACHIEVE OBJECTIVE. MS

AFFIDAVIT

I, SGT MAC A. SWEETEN, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

[Signature]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of JUNE, 2003 at CAMP VIGILANT, IRAQ

ORGANIZATION OR ADDRESS

[Signature]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

KETHLEY, DARYL A. ISC
(Typed Name of Person Administering Oath)
A-13C (6) (4) UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

MS

STATEMENT (Continued)

Not Used.

AFFIDAVIT

I, Sgt J. Wang, ONAMS, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[Handwritten Signature]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of June, 2003

at CAMP VIGILANT, IRAQ

[Handwritten Signature]

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

KEITHLEY, DARYL A USG
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136(b)(4) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT C.J.

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Camp Vajant	DATE 13JM.03	TIME 1100 C.S.	FILE NUMBER C3-400-CJ
LAST NAME, FIRST NAME, MIDDLE NAME Jinapang, Charles	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E4	
ORGANIZATION OR ADDRESS 7th MP Co.			

I, SPC Jinapang, Charles, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On June 13, 2002 while working at my assigned position at "Talent Tower 5"; I SPC Jinapang, Charles did observe the following incident. At approximately 1100 hours I heard a loud commotion on the yard below my tower. I then heard two shotgun rounds fired. As I looked down I observed several M.P.'s backing away from the yard due to multiple detainees in holding pen #2 throwing rocks at them. I then observed a detainee in a yellow shirt pick up a tent pole and run towards the altercation of 15-20 other hostile inmates throwing more rocks. I yelled out to the inmate with the yellow shirt several verbal commands to put down the pole, all of which he failed to comply with. The inmate continued to proceed in an attempt to throw the tent pole at the retreating M.P.'s, while others in the vicinity continued to throw rocks. I then chambered and fired two shotgun rounds in the direction of this detainees lower extremities as he threw the pole, in an attempt to cause great bodily harm towards fellow M.P.'s. This detainee then fell to the ground on my second shot and laid still until G.P.F responded and extracted the injured detainees without further incident. C.S. Nothing to follow.

End of Statement

- Q. WHAT ARE YOUR RULES OF ENGAGEMENT?
 - ~~TO~~ my understanding no warning shots ~~are~~ authorized
 - DO NOT fire ~~at~~ those who pose no harm or imminent danger.
 - Report ~~any~~ any Authorization to fire at those who pose deadly intent. C.S.
- Q. DO YOU FEEL YOU FOLLOWED THE R.O.E?

YES C.J.
- Q. DID YOU HAVE AN M16 IN THE TOWER?

NO C.S.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT C.J.	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

JA
BY
PT
JYS

Not used.

AFFIDAVIT

I, SFC JINAPING, CHANES, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[Handwritten Signature]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of June, 03 at CAMP VIEZANT, IRAQ

[Handwritten Signature]

(Signature of Person Administering Oath)

KEITHLEY, DARYL A USG
(Typed Name of Person Administering Oath)

Art (36(b)(4) USMT
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT C.S.

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION CAMP VIGILANT, IRAQ	2. DATE (YYYYMMDD) 2003/06/17	3. TIME 1315 HRS	4. FILE NUMBER 03-400-01
5. LAST NAME, FIRST NAME, MIDDLE NAME KEITHLEY, DARYL A.	6. SSN [REDACTED]	7. GRADE/STATUS E-8/1SG	
8. ORGANIZATION OR ADDRESS 72ND MILITARY POLICE COMPANY			

9. I, 1SG DARYL A. KEITHLEY, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 13 Jun 2003, at approx. 1400 hrs. I received information that QRF had been activated for a attempted prison escape in the yard. Upon my arrival at the scene, I made contact with SGT Woodworth and SPC Cook who was escorting detainee #8968 to the Inprocessing tent. I was advised that the detainee had laid down a piece of cardboard at the bottom of the concertina wire and crawled through the wire at which time QRF was notified and made the apprehension. Detainee #8968 verbally related that he was the only one that attempted to escape. We had been advised by other prisoners that three (3) detainees had escaped. At that time we attempted or conduct a head count of the two compounds, however, both compounds refused to be counted. QRF was despatched out to the compound and the prisoners were advised no releases would occur today unless they stood in a straight line and got counted. At that time both compounds stood up to be counted with the QRF present. It was very evident that the prisoners were very agitated and not very cooperative. I felt that there would definitely be some type of a incident from those that would not get released on this date.

On 13 Jun 2003, at approx. 1557 hrs. we initiated the release of 15 prisoners. After the release had been completed you could again tell that the remaining detainees were very agitated and were just waiting for a excuse. I stayed in the yard for a few minutes, then returned back into the building.

On 13 Jun 2003, at approx. 1615 hrs. I heard the QRF radio go off requesting that they respond to the yard. Less than a minute later I could hear what sounded like gun shots going off in the compound. At that time CPT Armstrong and myself took off running towards the yard. As I got in vision of the yard, I could see three (3) of the 400th personnel hankered down behind the generator in the yard. I yelled at them to go ahead and exit the yard. CPT Armstrong and myself along with some members of the QRF continued into the yard. There were still numerous detainees standing in front of the tents in both compounds yelling and screaming at us. I verbally advised and with hand motions advised the subjects to get down on the ground. Most of the detainees still refused to get down, but a few complied. After yelling and screaming at the detainees to get down and obtaining a shotgun and more QRF personnel arrived we entered Compound Alpha. We observed that one (1) detainee had been shot in the arm. At that time QRF extracted that detainee out. While this was being conducted one (1) detainee refused to get down and continued to yell and scream at us provoking the other detainees. At that time I advised the QRF to go ahead and place that subject in custody. Subject resisted, but was removed from the compound and moved to Compound C without further incident. After that the QRF and myself entered Compound B where most of the injuries were. It should be noted that all of the injured detainees had been drug from the yard to under the tentage for cover. The QRF team removed 7 injured detainees out of the tentage area into the center ill-way. At that time MP personnel began to administer immediate first-aid and transport the prisoners to the first aid station. It should be noted that personnel that entered into the cages, entered into a extremely volatile situation, putting there lives in danger in a attempt to extract the wounded prisoners out of the compounds as absolutely as fast as possible in a attempt to save there lives and get them the proper medical attention. All of the detainee's were kept inside the tents until all of the prisoners that had been shot were removed out to the Medivac site where seven out of the eight prisoners were medivaced from the flight line. A [REDACTED] H [REDACTED] Prisoner ID #8667 had gunshots to his lower abdomen and back died while waiting for the medivac to arrive.

Once the medivac exited the area, I initiated the investigation of the incident. Investigation revealed that SGT Sweeten fired four (4) 5.56 rounds from the yard tower into the compounds. SGT Sweeten utilized a M16A2 Rifle. SN# 7000087. Two (2) of the rounds recovered were at the very base of the yard tower and two more 5.56 rounds were recovered by myself at the top of the tower as evidence. The recover occurred at approx. 1823 hrs. 13 Jun 03. Lt. Martinez photographed where the expended rounds located in the tower and photographed where SGT Sweeten would be looking from the tower into the yard.

At approx. 1900 hrs. I took into custody five (5) 12 gauge Winchester shotgun rounds located outside the tower wall of Tower No #6 located on the NE side of the compound. These rounds were shot off by SPC Henry who was caring a Mossberg 12 gauge

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [Signature]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

NOT USED



AFFIDAVIT

I, JACOB M. GONZALES, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.


(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of JUNE, 19 03 at CAMP VIGILANT, IRAQ

ROBERT ANDERSON
72ND MILITARY POLICE COMPANY
APO AE 09302
ORGANIZATION OR ADDRESS

DARYL KEITHLEY 1SG, MILITARY POLICE
(Signature of Person Administering Oath)

ALAN BENZON
72ND MILITARY POLICE COMPANY
APO AE 09302
ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)
ART 126 (b) (4) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT



SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is DDCSOPS

LOCATION CAMP VIGILANT PRISON YARD	DATE 030613	TIME 1800	FILE NUMBER 03-400-cj
LAST NAME, FIRST NAME, MIDDLE NAME MOORMAN, MARJORIE, ALICE	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS ES / MP GUARD	
ORGANIZATION OR ADDRESS			

I, MARJORIE ALICE MOORMAN, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

WHILE PERFORMING GUARD DUTIES IN THE PRISON YARD, AT APPROXIMATELY 1615 HOURS, PRISONERS IN THE BRAVO COMPOUND BECAME UPSET BECAUSE IT HAD BEEN OVER AN HOUR SINCE THEIR LAST WATER RUN. THE SAME WAS TRUE FOR ALPHA COMPOUND, AND BOTH GROUPS OF PEOPLE WERE CALLING OUT, AND BANGING ON THEIR WATER JUBS. I TOLD THEM THAT THEY WOULD GET WATER AS SOON AS OUR THIRD PERSON (CHERNY) RECEIVED GRADY FROM THE ROVING SHOTGUN POSITION, AND WE HAD THREE PEOPLE HERE. THE PRISONERS IN BRAVO COMPOUND BECAME UPSET AT HAVING TO WAIT AND BEGAN TAKING HOLD OF TENT POLES. TEN OR MORE PEOPLE HAD TENT POLES IN HAND AND SOME BEGAN PICKING UP ROCKS. I HAD A RADIO IN MY HAND, AND I TOLD THEM AND GESTURED FOR THEM TO PUT DOWN THEIR WEAPONS (POLES AND ROCKS). THE PRISONERS DID NOT LISTEN, AND AGAIN, I WARNED THEM THAT I WOULD CALL FOR QRF. SGT GILESPIE (SGT. OF THE GUARD) CAME TO MY POSITION FROM THE ECP (ENTRY CONTROL POINT). HE THEN TOOK MY RADIO AND CALLED FOR QRF. AT THAT SAME TIME, PRISONERS IN BRAVO COMPOUND BEGAN THROWING ROCKS, STRIKING MYSELF IN THE BACK, SGT GILESPIE IN THE SHOULDER, AND SPC ALFEO IN THE ANKLE AND LEG. THE THREE OF US THEN RAN TO TAKE COVER BEHIND THE GENERATOR. THE PRISONERS THEN BEGAN THROWING TENT POLES AT US, AND THEN SHOTS WERE FIRED FROM THE TOWER INTO THE YARD, WHEN THAT HAPPENED, SPC ALFEO, SGT GILESPIE, AND MYSELF RAN TOWARD THE ECP. MORE SHOTS WERE FIRED; THEN QRF RESPONDED TO THE YARD. PRISONER CASUALTIES WERE THEN REMOVED. // END OF STATEMENT //

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

m.m.

PAGE 1 OF

2

PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
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NOT USED

mm.

AFFIDAVIT

I, MARJORIE ALICE MOORMAN, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Marjorie A Moorman
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of JUNE, # 2003 at CAMP VIGILANT, IRAQ

D. A. Kestley
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

KESTLEY, DARYL A 186
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 13C (b)(4) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

mm

PAGE 2 OF 2 PAGES

STATEMENT (Continued)

at a time, coming out of their tents, throwing rocks, and going back inside. The generator trailer is located at the aisle at the very end of A B and C compounds, with B compound (The rioting compound) on the opposite side of the trailer from us, and C compound behind us. // END OF STATEMENT // (57)

AFFIDAVIT

I, James D.P. Gillette, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[Handwritten Signature]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JUNE, 2003 at CAMP VIGILANT, IRAQ

[Handwritten Signature]
(Signature of Person Administering Oath)

KETTLER, DARYL A 1SG
(Typed Name of Person Administering Oath)

ART 136 (b)(4) UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[Handwritten Initials]

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION CAMP VILVANT, IRAQ	DATE 13 JUN 03	TIME 1800	FILE NUMBER OS-400-01
LAST NAME, FIRST NAME, MIDDLE NAME AlFeo, Gian Paolo	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SPC
ORGANIZATION OR ADDRESS 400th MP Bn			

Spl. Gian Paolo AlFeo, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

on 13 June 2003 at approximately 1615hrs Prisoners in the compounds started asking for water Sgt moorman and I explained to them that as soon as one more guard arrived we would take them to get water. In response to our explanation they sat at the Sally Port and started to beat on their water jugs and yelling for water. again we told them as soon as one more guard arrives we will take them for water then I heard a commotion from B compound when I looked over I noticed several prisoners grabbing tent poles and rocks. I pointed this out to Sgt moorman and we started to tell them to drop their weapons at this time sst Gillispie arrived and started telling them to drop their weapons. we repeated ourselves and that is when the first rock was thrown and struck me in my ankle. At that point we started to run for the cover of the generator and that is when the first shot was fired. While we were behind the generator I noticed guards at the entry control point urging us to come to them I pointed that out to sst Gillispie and he said to run to them. As we were running to the entry control point more shots were fired as rocks were being thrown at us. about one minute after our arrival QRF arrived and entered the yard. They started to bring up the injured prisoners to the medical tent.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT Spc	PAGE 1 OF 2 PAGES
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NOT USED

AFFIDAVIT

I, GIAN ALFEO, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Gian Alfeo

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of JUNE, 2003 at COMP VILLANT, IRAQ

Dyl A Keithley

(Signature of Person Administering Oath)

KEITHLEY, DARYL A. 156

(Typed Name of Person Administering Oath)

ART 136 (6) (4) UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

GA

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION CAMP VIGILANT, IRAQ	DATE 17 JUN 03	TIME 1300 hrs	FILE NUMBER 03-400-01
LAST NAME, FIRST NAME, MIDDLE NAME OXBORROW, MICHAEL	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SGT E-5
ORGANIZATION OR ADDRESS 72ND MILITARY POLICE COMPANY			

I, MICHAEL OXBORROW, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

On June 13, 2003 I was assigned to tower 5 as external security watch. At approximately 3:30 PM I glanced toward the nearest compound from tower five and observed prisoners taking tent poles from one tent. Approximately 120 prisoners were gathered in between the tents and the enter/exit point. I observed prisoners throwing rocks at the soldiers just outside the compound. I saw a prisoner in a yellow shirt with a tent pole in hand begin to throw it. Two shots were fired from SPC Henry toward the compound at this point. This disbursed approximately 25% of the prisoners to the tents. I then observed the compound soldiers retreating from the area. They were still getting rocks thrown at them and I observed one tent pole hit about three feet from them. About the same time I heard seven rounds of shotgun fire and M16 fire go off. When I observed the compound all the prisoners were disbursed back to the tents. When the situation started SPC Henry tried to contact MP base with negative results. After the first shots were fired I was able to contact MP base and inform them of the situation including that shots had been fired. / / / / / /

/ / / END OF STATEMENT / / / / /

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT MOX	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
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NOT

USED

AFFIDAVIT

I, MICHAEL OXBOROW, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Michael Oxborow
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17 day of JUNE, 2003 at CAMP VIGILANT, IRAQ

Dyl A. Kennedy
(Signature of Person Administering Oath)

KETHLEY, DARLA LSG
(Typed Name of Person Administering Oath)

Art 13L(b)(4) UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT
MOB

MUST BE USED

AFFIDAVIT

I, TODD ALLEN SIMMONS, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Todd Simmons
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JUNE, 2003 at CAMP VIGILANT, IRAQ

Eric Brian Neville
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

ERIC BRIAN NEVILLE
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136 (b)(4) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

TAS

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION <u>Camp Vigilant, Iraq</u>	DATE <u>030613</u>	TIME <u>2013</u>	FILE NUMBER <u>03-400-01</u>
LAST NAME, FIRST NAME, MIDDLE NAME <u>Combs, Bruce Allan</u>	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS <u>E-6/556</u>	
ORGANIZATION OR ADDRESS <u>72nd Military Police Company</u>			

W. Bruce Allan Combs WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On 13 June, 2002, at approx. or around 1615 hrs at Camp Vigilant, I was in the Yard Tower, with SFC Leigh and SGT Sweeten. Sweeten was the assigned guard to the tower, while Leigh and I were geared up in flack jacket and kevlar from a previous incident with in-mates within the compound. For reasons unknown I observed in-mates come out of the tents. I then observed the three Military Policemen within the compound over at the gates to the in-mates compounds. Some in-mates started grabbing the tent poles that held up the sides of a GP Medicine tent. The three military Policemen started running down the corridor towards the ECP stopping behind the generator before I noticed they were throwing rocks at the MP's. At sometime ~~to~~ ^{to} during the incident I heard a shotgun go off twice. I believe the shots came from Tower 6 but I am not sure if it was. The generator that the three Military Policemen were behind was being hit by rocks. SGT Sweeten had his weapon pointed inside the compound observing and calling potential threats within the compound to Leigh and myself. I, myself, observed an in-mate with a bright yellow shirt, tent pole in hand, at the corner of the tent, our side, closes to the corridor. The three Military Policemen left the cover of the generator making a break for the ECP. At that ~~the~~ ^{the} time I observed the in-mate with the yellow shirt, now holding the tent pole as a spear start running to the corner of the compound closing the distance to the MP's running with the pole, steel point first ~~ready~~ ^{ready} ready to throw. SGT Sweeten observed and called out the threat, then stated he was taking the shot. In the sequence of the in-mate throwing the tent pole, SGT ~~the~~ ^{the} Sweeten shot three times. The in-mate was able to throw the tent pole at the MP's who were running then down into the tent. SFC Leigh and I then descended the tower and joined other MP's to secure the compound. It was not till we secured the area if the in-mate with the yellow shirt was hit. The weapon SGT Sweeten used was an M16A2 R.A.E. //

// End of Statement //

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>BA</u>	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Not used

AFFIDAVIT

I, Bruce A. Combs, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.


(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13th day of June, 2003 at Camp Vigilant, Iraq

ORGANIZATION OR ADDRESS


(Signature of Person Administering Oath)

GONZALES JACOB M. SSG MP
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136 (b)(4) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT



PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION CAMP VIGILANT, IRAQ	DATE GAL 13 JUNE 03	TIME GAL 2112 hrs	FILE NUMBER 03-40001
LAST NAME, FIRST NAME, MIDDLE NAME LEIGH, GUSTAVO A.	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E-7, SFC
ORGANIZATION OR ADDRESS 72ND MILITARY POLICE COMPANY			

GAL1, GUSTAVO A. LEIGH, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 13 JUNE 2003, AT APPROXIMATELY 2115 HOURS, I WAS IN THE YARD TOWER SPEAKING WITH ^{SFC} SGT SWEETEN ABOUT THE LACK OF ROCKETS ON THE OUTSIDE OF THE WIRE. I SAW THAT A GROUP OF INDIVIDUALS, PRISONERS IN THE YARD, CAME OUT OF THE TENT. APPROXIMATELY 8 TO 10 INDIVIDUALS CAME OUT OF THE BACK OF THE TENT AND APPROXIMATELY 15 TO 20 PRISONERS WENT TO THE FRONT OF THE TENT. AT THAT EXACT TIME ALL THE PRISONERS STARTING THROUING UP THEIR HANDS AND YELLING AT EACH OTHER. AFTER APPROXIMATELY 1 MINUTE THEY TURNED THEIR ATTENTION TO THE THREE MPs STANDING OUTSIDE THE WIRE AND THE GATE IN THE WALKWAY. I SAW ONE MP TRYING TO LEAN INTO THE WIRE IN WHAT APPEARED TO BE HIM OR HER TRYING TO CALM DOWN THE PRISONERS. APPROXIMATELY 2 MINUTE AFTER THE CONTACT WITH THE MP I SAW MORE PRISONERS COMING OUT OF THE TENT. THREE OF THE PRISONERS HAD TENT Poles IN THEIR HANDS AND WAVING THE STICKS IN THE AIR. I THEN SAW THREE MPs RUNNING FOR THE GENERATOR TRAILER WHILE ROCKS WERE BEING THROWN AT THEM. IT APPEARED THAT TWO OF THE MPs WERE STRUCK BY THE FLYING ROCKS. I THEN HEARD A POSSIBLE BLAST FROM ANOTHER TOWER. I SAW A PRISONER WITH A YELLOW SHIRT GETTING READY TO THROW THE TENT POLE AS A SPEAR. SGT SWEETEN STATED THAT HE SAW THE INDIVIDUAL WITH THE SPEAR. AT THIS TIME THE 3 MPs IN THE YARD WERE ON THE OPPOSITE SIDE OF THE TRAILER TRYING TO AVOID THE THROWING ROCKS. SGT SWEETEN FIRED 4 SHOTS FROM HIS M16 IN ORDER TO STOP A PRISONER FROM THROWING THE SPEAR AS THE MPs WERE RUNNING FOR COVER. THE PRISONER THREW THE

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT GAL	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

TENT POOL AT THE MP'S AS THEY RAN. THE INDIVIDUAL PRISONER, RAN BACK INTO THE TENT. ALL THE PRISONERS IN THE TENTS LAY ON THE FLOOR AFTER THE BOUNDS WERE FIRED. SGT SWEETEN FIRED WHAT I BELIEVE TO BE THREE TO FOUR SHOTS. HE THEN STATED THAT HE WAS PUTTING HIS WEAPON ON SAFE. I THEN YELLED TO 1LT BRUNETTE TO ACTIVATE OUR QRF (QUICK REACTION FORCE) ON STAND BY. I THEN RUSHED TO THE GROUND FLOOR AND BEGAN RUNNING TO THE COMPOUND QRF AND ARRIVED AT THE AREA WHERE SHOTS WERE FIRED AND BEGAN TAKING THE WOUNDED OUT FROM THE TENTS. QRF WAS ALSO TRYING TO REMOVE AN INDIVIDUAL FROM THE TENT. I ASSISTED IN REMOVING HIM AND PLACING HIM IN A SEPRATE COMPOUND. I THEN RAN TO THE TOWER WHERE SGT SWEETEN WAS AND NOW WITH SPC LUTAN, SGT AMMONS, SPC BELLEN AND AN UNFAMILIAR 400TH MP BN SOLDIER IN CIVILIAN CLOTHES. AS I CLIMBED THE STAIRS SSC HFDLER BEGAN YELLING AT ME FOR HELP IN TREATING THE WOUNDED IN THE MEDICAL TENT. I WENT TO THE MEDICAL TENT AND BEGAN TREATING THE WOUNDED. I ALSO ASSISTED IN TRANSPORTING THE WOUNDED TO THE DESIGNATED LANDING ZONE UNTIL MEDICAL ARRIVED AND TOOK THE WOUNDED PRISONERS. GAL

END OF STATEMENT

AFFIDAVIT

GAL I, GUSTAVE A. LEIGH, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Gustave A. Leigh
 (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13th day of June 192003 at Camp Vixen, Iraq

ORGANIZATION OR ADDRESS

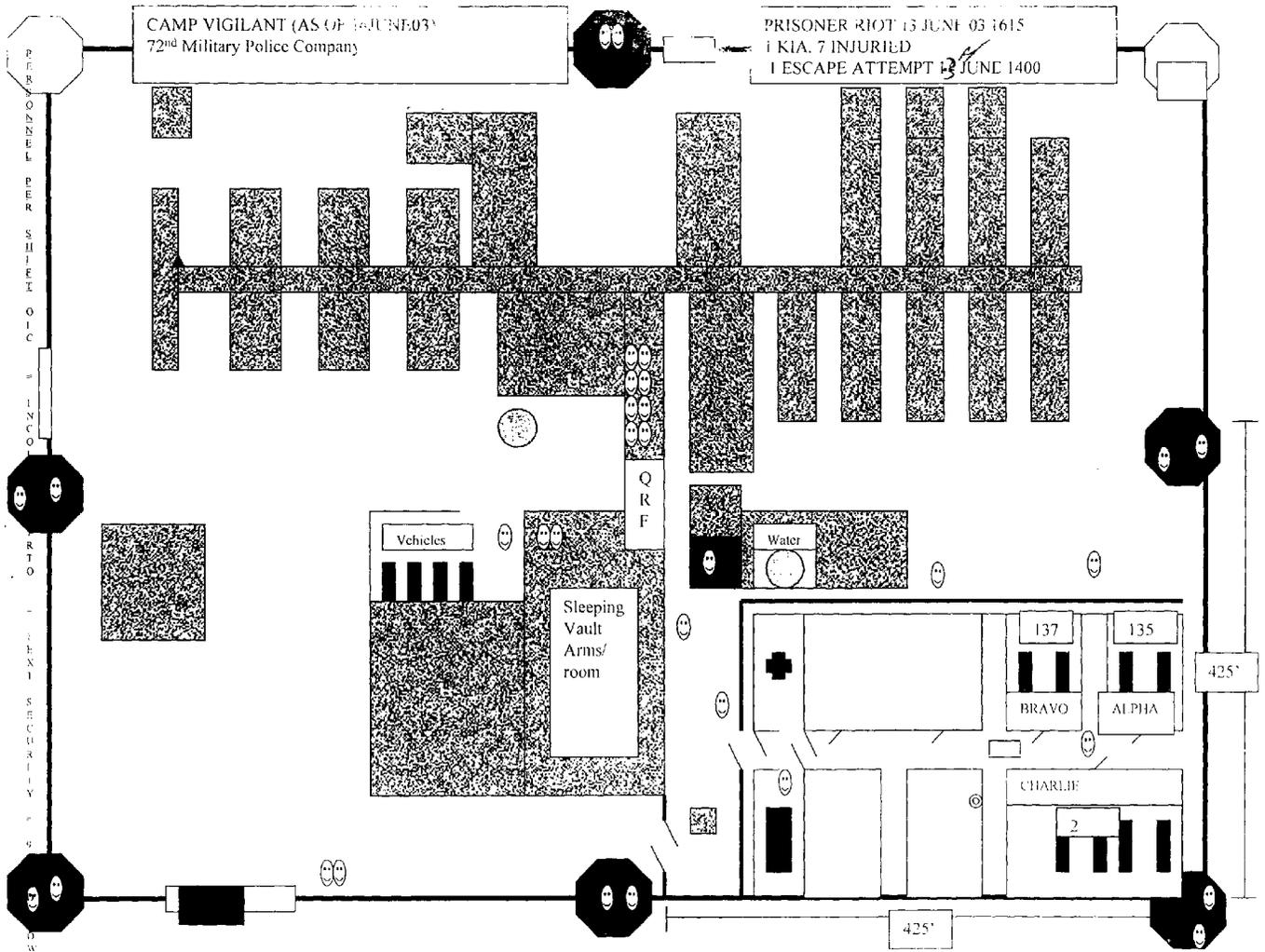
[Signature]
 (Signature of Person Administering Oath)

556 Combs, Bruce A. M.I. Long Police
 (Typed Name of Person Administering Oath)

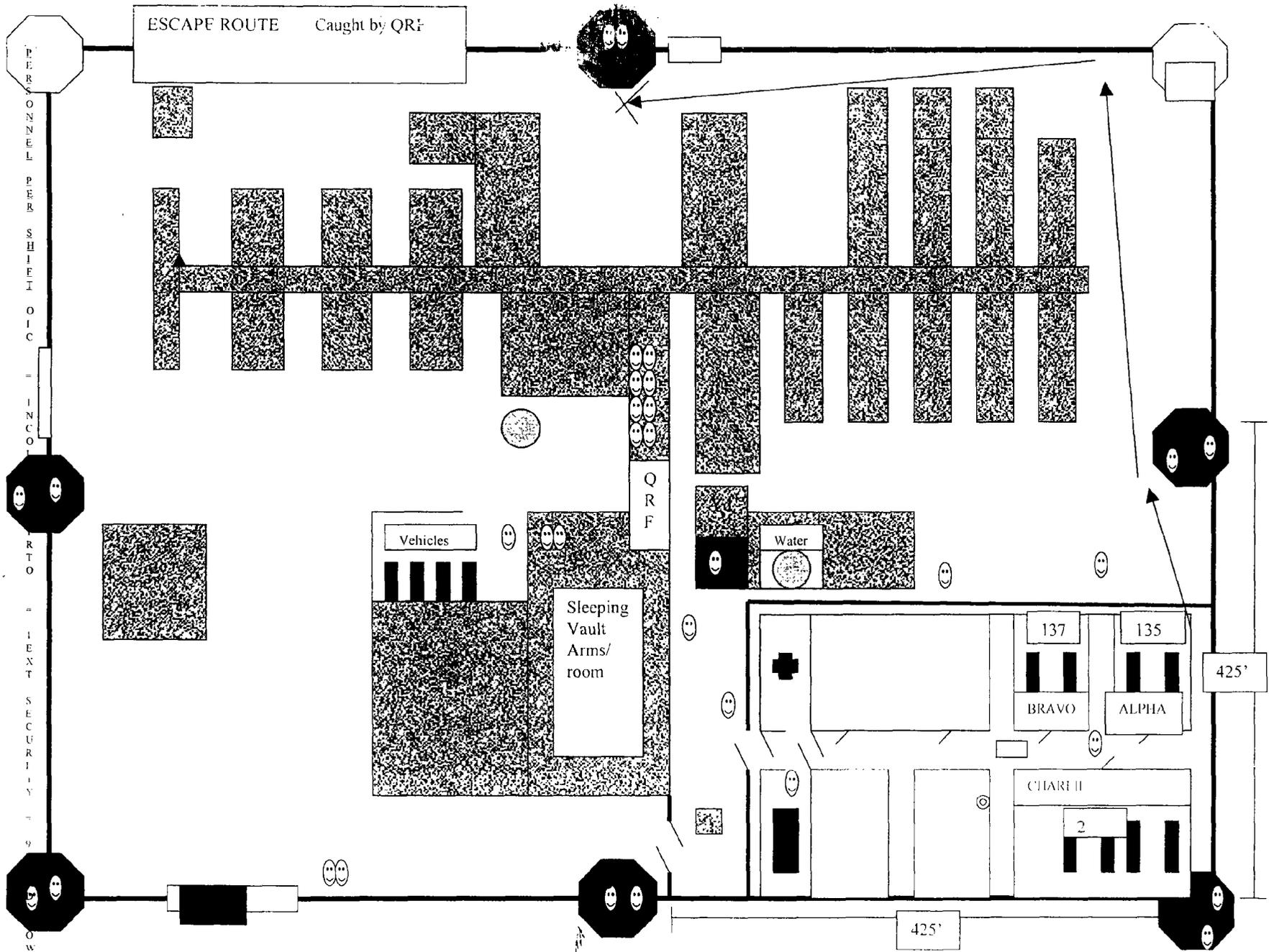
ORGANIZATION OR ADDRESS

ART 136 (b)(4) UCMJ
 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT GAL



3400



5/10/74 2/1

FOUO

Serious Incident Report

To: Commander, 18th MP BDE
From: Commander, 400th MP BN

Subject: SIR Number 030001

Paragraph:

Category: Category 2 (AR 190-40, Appendix C-1.g)

2. Type of incident:

- a. 1 US Soldier Injured
- b. Prisoner Death
- c. Seven Prisoners Injured

3. Date and Time: 131615(L) JUN 03

Location: ABU GUHRAYB (Vic MB 23579 85233)

Other Information.

- a. Racial: No
- b. Trainee Involvement: No

6. Personnel Involved.

a. Subject. 1

- a. Name: Sweeten, Marc
- b. Rank or grade: SGT
- c. Social Security Number: [REDACTED]
- d. Race: Caucasian
- e. Sex: M
- f. Age: Unknown
- g. Position: Yard Tower
- h. Security Clearance: Secret
- i. Unit: 72d MP CO
- j. Duty Status: On duty

b. Subject. 2

- a. Name: Henry, George
- b. Rank or grade: SPC
- c. Social Security Number: [REDACTED]

- d. Race: Caucasian
 - e. Sex: M
 - f. Age: Unknown
 - g. Position: Tower 6
 - h. Security Clearance: N/A
 - i. Unit: 72d MP CO
 - j. Duty Status: On Duty
- c. Subject. 3
- a. Name: Jivapong, Charles
 - b. Rank or grade: SPC
 - c. Social Security Number: [REDACTED]
 - d. Race: Caucasian
 - e. Sex: M
 - f. Age: Unknown
 - g. Position: Tower 5
 - h. Security Clearance: Secret
 - i. Unit: 72d MP CO
 - j. Duty Status: On Duty
- d. Victim. 1: US Soldier.
- a. Name: Gillespie, James D.
 - b. Rank or grade: SGT
 - c. Social Security Number: [REDACTED]
 - d. Race: Caucasian
 - e. Sex: M
 - f. Age: 29
 - g. Position: Enclosure Guard
 - h. Security Clearance: Secret
 - i. Unit: 400th MP Bn
 - j. Duty Status: N/A
- e. Victim. 2: Death (Gunshot to lower abdomen and back)
- a. Name: A [REDACTED] H [REDACTED]
 - b. Rank or grade: Iraqi Civilian
 - c. Social Security Number: 8667
 - d. Race: Arab
 - e. Sex: M
 - f. Age: Unknown
 - g. Position: Prisoner
 - h. Security Clearance: N/A
 - i. Unit: N/A
 - j. Duty Status: N/A
- f. Victim. 3: Injury (Gunshot to left arm)
- a. Name: W [REDACTED] H [REDACTED]

- b. Rank or grade: Iraqi Civilian
 - c. Social Security Number: 8883
 - d. Race: Arab
 - e. Sex: M
 - f. Age: Unknown
 - g. Position: Prisoner
 - h. Security Clearance: N/A
 - i. Unit: N/A
 - j. Duty Status: N/A
- g. Victim. 4: Injury (Gunshot to right abdomen)
- a. Name: A [REDACTED] S [REDACTED]
 - b. Rank or grade: Iraqi Civilian
 - c. Social Security Number: 8956
 - d. Race: Arab
 - e. Sex: M
 - f. Age: Unknown
 - g. Position: Prisoner
 - h. Security Clearance: N/A
 - i. Unit: N/A
 - j. Duty Status: N/A
- h. Victim. 5: Injury (Gunshot to left arm)
- a. Name: S [REDACTED] M [REDACTED]
 - b. Rank or grade: Iraqi Civilian
 - c. Social Security Number: 9052
 - d. Race: Arab
 - e. Sex: M
 - f. Age: Unknown
 - g. Position: Prisoner
 - h. Security Clearance: N/A
 - i. Unit: N/A
 - j. Duty Status: N/A
- i. Victim. 6: Injury (Gunshot to left shoulder)
- a. Name: R [REDACTED] Y [REDACTED]
 - b. Rank or grade: Iraqi Civilian
 - c. Social Security Number: 0749
 - d. Race: Arab
 - e. Sex: M
 - f. Age: Unknown
 - g. Position: Prisoner
 - h. Security Clearance: N/A
 - i. Unit: N/A
 - j. Duty Status: N/A
- j. Victim. 7: Injury (Gunshot to lower back and buttocks)
- a. Name: S [REDACTED] M [REDACTED]

- b. Rank or grade: Iraqi Civilian
- c. Social Security Number: 7610
- d. Race: Arab
- e. Sex: M
- f. Age: Unknown
- g. Position: Prisoner
- h. Security Clearance: N/A
- i. Unit: N/A
- j. Duty Status: N/A

k. Victim. 8: Injury (Gunshot to left abdomen)

- a. Name: Wa [REDACTED] A [REDACTED]
- b. Rank or grade: Iraqi Civilian
- c. Social Security Number: 8576
- d. Race: Arab
- e. Sex: M
- f. Age: Unknown
- g. Position: Prisoner
- h. Security Clearance: N/A
- i. Unit: N/A
- j. Duty Status: N/A

l. Victim. 9: Injury (Gunshot to left arm)

- a. Name: Na [REDACTED] H [REDACTED]
- b. Rank or grade: Iraqi Civilian
- c. Social Security Number: 9158
- d. Race: Arab
- e. Sex: M
- f. Age: Unknown
- g. Position: Prisoner
- h. Security Clearance: N/A
- i. Unit: N/A
- j. Duty Status: N/A

7. Summary of Incident:

a. Synopsis: Eight prisoners began to riot after witnessing 14 inmates being released. They attempted to overtake the guards utilizing rocks and tent poles. One MP received minor injuries from a rock. Guards opened fire killing one and wounding seven prisoners. The seven were provided Air MEDEVAC to LSA DOGWOOD, along with an MP providing security on the prisoners. IPF forces were notified and a civilian ambulance was escorted back to the prison to retrieve the body of the KIA.

b. Events Preceding the Incident: On 12 Jun 03, at 1800 hours, the detainees became agitated and began demanding answers regarding their capture and the amount of time they would be held in custody. They were upset and declared that they were being

housed improperly and lacked basic needs such as showers, shampoo, blankets, and toilets. Several of the detainees threw rocks and tent poles out of the enclosure at the guards and one guard was struck in the hand. At that time, the Company First Sergeant, Daryl Keithley, and the Commander, Troy Armstrong, responded to the yard and addressed the detainees through one of the prisoner interpreters. They were advised that many of the new detainees had release dates and that the Camp Commander would review other cases and provide information when available. The detainees were all advised that throwing rocks and tent poles at the guards would constitute deadly force and that they could and would be shot if that behavior occurred again. A SITREP was sent to battalion with a request to charge the individuals and have them sent to Camp Cropper.

c. On 13 Jun 2003, at approximately 1400 hours, a disturbance was again reported in the yard and involved an attempted escape by detainee #8968. The detainee attempted to go through the wire utilizing a cardboard box, however, was immediately apprehended as he exited the wire. At this time a count was initiated, however, detainees in both compounds refused to stand to be counted. The QRF was dispatched, and the count proceeded without incident. Shortly after the count, the QRF was called again to respond to multiple gunshots occurring in the yard. Multiple detainees with rocks and tent poles had targeted the MPs working the enclosure compounds. As the enclosure guards attempted to flee the objects, the tower guards feared that the enclosure guards were in danger. Three Tower Guards simultaneously followed the ROE, and fired upon the detainees who were engaging in the use of deadly force against U.S. personnel. Two of the towers fired 12-gauge shotguns expending eight rounds. The third guard fired four M-16 rounds. Seven detainees were wounded and one killed as a result of the incident. One U.S. soldier was injured by a rock. All wounded were taken from the enclosure area and provided first aid by medics from the 400th MP Bn and combat lifesavers from the 72d MP Co. MEDEVAC was requested and the seven wounded were evacuated under one MP guard. The body and personal belongings of the deceased prisoner were released to Iraqi authorities.

8. Remarks: All rounds were confiscated, the crime scene was photographed, and tower views were photographed. Personal property of the KIA was provided to Iraqi authorities who retrieved the body at 1930. The riot was believed to have been caused by a lack of information about their dispositions, dates of release, and lack of basic living necessities.

9. Publicity: Unknown

10. Commander Reporting: Dale A. Burtyk, LTC (P), 400th MP Battalion

11. Point of Contact:

- a. Prison Company Commander, CPT Troy E. Armstrong, 72d MP CO
- b. Reporting Officer, CPT Robert Snyder, Battalion Assistant S3

12. Downgrading Instruction: FOUO markings may be removed after 13 July 2003

13. Other Requested Information:

- a. What gate or guards were rushed? Three Enclosure Guards.
- b. Describe the location between the enclosure guard and the tower guards. The tower guards formed a triangular position around the enclosure guard and prisoners. The guards fired their weapons from the towers.
- c. How many guards used their weapons? Three guards; Total rounds expended: four M-16 rounds from the Yard Tower; five 12-gauge shotgun rounds from Tower 6; and three shotgun rounds from Tower 5.

Investigation Action Log

13 June 2003

1915 Assigned as investigating officer

1945 Moved out to prison for pictures, Dark upon arrival, company stated they took pictures, walked over scene, checked status of unit soldiers for well being, advised command of appointment order, advised command of return in near future for interviews, gathered Co Commander's Initial report

2045 Left prison

14 June 2003

Spend day researching and planning investigation strategy, gathered BN SIR

15 June 2003

Spend day at Camp Vigilant gather sops, sworn statements, map site

16 June 2003

Mission support requirements

17 June 2003

Spend day at Camp Vigilant, gather evidence, sworn statements.

18 June 2003

Mission support requirements

19 June 2003

Spend day typing up report

20 June 2003

Mission support requirements

21 June 2003

Print report and turn in